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Governor Signs Two Bills to Combat Bullying and Help Protect Our Children

Proposals from Attorney General, Lieutenant Governor and Education Committee Chairs Become Law

Wilmington – Two bills that implement components to combat bullying were signed by Governor Jack Markell today at George V. Kirk Middle School in Newark. Today's efforts are the direct result of work done by the Lt. Governor and Attorney General in cooperation with the strong sponsorship of House and Senate Education Chairs Sen. David Sokola and Rep. Terry Schooley.

"Education is one of my top priorities," said Governor Markell, "and having a safe, secure learning environment is fundamentally important to a child's education. These bills will increase the safety of young people in our schools."

SB 193 will result in the implementation of the state's first uniform policy to combat cyberbullying in public schools.

Lt. Gov. Matt Denn and Attorney General Beau Biden began the process of drafting the statewide cyberbullying policy this spring by holding statewide public hearings to gather factual evidence from school administrators and parents about the type of off-campus activity causing disruption in our schools.

Shortly after signing of this bill, the state's Department of Education will propose by regulation a statewide cyberbullying policy that has been drafted by the Attorney General and Lieutenant Governor, based upon the testimony at their hearings. After considering public comment, the Department of Education will issue a final cyberbullying policy and each public school and charter school will have 90 days to adopt the policy. Significantly, the bill also allows the Attorney General's office to defend school districts and charter schools if they face a legal challenge after implementing the new statewide cyberbullying policy.

"As I have visited middle schools and high schools over the past two school years, cyberbullying has consistently been raised with me by principals and teachers as a real problem that stops them from focusing on educating kids," Lt. Governor Denn said. "This statewide policy will allow schools to clearly tell students what type of social media conduct is unacceptable, and it will provide legal support from the Attorney General's office for districts where the policy is challenged."

HB 268 protects students against bullying by adding consistency in how bullying incidents are reported by schools.

The legislation addresses a lack of consistency in how bullying incidents are reported by school districts. Under this legislation, the state Department of Education will begin auditing a small number of public schools each year to ensure that schools are properly investigating and reporting suspected incidents of bullying. Additionally, school districts will now be required to report both substantiated and “unsubstantiated” incidents of bullying to the state Department of Education, so the Department can determine if some schools or districts are failing to properly investigate or report claims of bullying.

“There is a huge variation in how our schools report bullying,” Attorney General Biden said. “We have some small elementary schools that report many times the number of bullying incidents as major high schools. If we are going to combat bullying, we need to know where it is happening, and this legislation will ensure that we have that information at hand.”

Nationally, 8.2 million students are bullied each year and 1 million are cyber-bullied. About 160,000 students stay home from school on any given day because they’re afraid of being bullied. In Delaware, nearly 20 percent of students surveyed last year reported that another student issued a verbal threat against them, while 30 percent reported that they said something to another student to hurt them.

Sen. David Sokola (D-Newark), SB 193’s lead sponsor has long been a champion of efforts to keep schools safe and to create a good environment for students to learn. The new laws, he said are a continuation of those efforts.

"Today’s technology creates educational opportunities that have never been available before but that same technology can create challenges never before anticipated. Our districts need assistance in navigating the unique legal issues related to cyberbullying to help foster a good environment for our children,” Sokola said. “Taken together, these new laws aim to move our schools’ handling of cyberbullying forward in a manner that is consistent throughout the state and to help our children have the safe and nurturing environment they deserve."

Rep. Terry Schooley (D- Newark), who was the lead House sponsor of both bills, said that bullying has become a serious problem in schools, and with more and more students using social media, bullying has progressed beyond playground taunts. The two bills will help increase reporting of all instances and address the emerging issue of cyber-bullying.

“Bullying in any form creates fear and intimidation in our schools, and it leads to students performing poorly, not going to school for fear of being bullied or in some cases, committing suicide,” said Rep. Schooley. “When you take into account that means of communication such as social media, computers and cell phones post information far more publicly than previous generations could ever imagine, the issue becomes even more serious. By signing these bills into law, we are trying to increase reporting and stay ahead of the curve to protect our children and grandchildren.”

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